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U.S.A. CASUALTY INSURANCE COMPANY

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

13 | MICHAEL KAMBESTAD

14 Plaintiff,

15 | vs.

16 USAA CASUALTY INSURANCE
COMPANY; DOES I-X, and ROE
17 CORPORATIONS XI-XX, inclusive

18 | Defendant.

CASE NO. 2:17-cv-2264-JCM-NJK

**STIPULATION AND ORDER TO EXTEND
DISCOVERY DEADLINES**

(FIRST REQUEST)

Pursuant to LR 6-1 and LR 26-4, the parties, by and through their respective counsel of record, hereby stipulate and request that this Court extend discovery in the above-captioned case ninety (90) days, up to and including Tuesday, May 29, 2018. In addition, the parties request that the dispositive motions and pretrial order deadlines be extended for an additional ninety (90) days as outlined herein. In support of this Stipulation and Request, the parties state as follows:

26 1. On April 26, 2017, Plaintiff filed his Complaint in United States District
27 Court, District of Nevada.

28 || 2. On September 1, 2017, Defendants filed their Answer.

3. On October 24, 2017 the parties submitted a proposed Scheduling Order to the Court.

4. On November 2, 2017, Plaintiff served his Initial Disclosure of Documents and Witnesses on Defendant.

5. On November 14, 2017, Defendants served their Initial Disclosure of Documents and Witnesses on Plaintiff.

DISCOVERY REMAINING

- 8 1. Defendants will take the deposition of Plaintiff.

9 2. Plaintiff will take the deposition of the Defendants.

10 3. The parties will complete all written discovery.

11 4. Defendants will collect Plaintiff's medical and billing records.

12 5. The parties will take the depositions of the designated expert witnesses.

13 6. The parties may take the depositions of Plaintiff's medical providers once

14 Defendant is able to obtain all pertinent medical records.

15 7. The parties will take the depositions of any and all other witnesses garnered

16 through discovery.

17 This Request for an extension of time is not sought for any improper purpose or
18 other purpose of delay. Rather, it is sought by the parties solely for the purpose of
19 allowing sufficient time to conduct discovery.

WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED

21 The parties have been compiling documents and investigating the instant action.
22 The parties are actively engaged in efforts to obtain outstanding medical records,
23 which, when received, may allow the parties to engage in dialogue regarding potential
24 settlement of the claim in lieu of protracted discovery. Thus, the parties request a brief
25 extension to the discovery deadlines, including the expert disclosure deadlines, to avoid
26 incurring unnecessary expenses related expert retention at this juncture.

27 Extension or Modification of The Discovery Plan and Scheduling Order. LR 26-4
28 governs modifications or extension of this discovery plan and scheduling order. Any

1 stipulation or motion must be made no later than twenty-one (21) days before the
2 expiration of the subject deadline, and comply fully with LR 26-4.

3 The following is a list of the current discovery deadlines and the parties' proposed
4 extended deadlines.

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	Wednesday, February 28, 2018	Tuesday, May 29, 2018
Amendment to Pleadings	Thursday, November 30, 2017	Closed
Interim Status Report	Friday, December 29, 2017	Thursday, March 29, 2018
Expert Disclosure pursuant to Fed R. Civ. P. 26 (a)(2)	Friday, December 29, 2017	Thursday, March 29, 2018
Rebuttal Expert Disclosure pursuant to Fed. R. Civ. P. 26(a)(2)	Monday, January 29, 2018	Monday April 30, 2018
Dispositive Motions	Friday, March 30, 2018	Thursday, June 28, 2018, or at least thirty (30) days after the close of discovery
Joint Pretrial Order	Monday, April 30, 2018	Monday, July 30, 2018, or at least thirty (30) days after the decision of last Dispositive Motions

19 This Request for an extension of time is not sought for any improper purpose or
20 other purpose of delay. Rather, it is sought by the parties solely for the purpose of
21 allowing sufficient time to conduct discovery in this case and adequately prepare their
22 respective cases for trial.

23 This is the first request for extension of time in this matter. The parties respectfully
24 submit that the reasons set forth above constitute compelling reasons and good cause for
25 the short extension.

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1 WHEREFORE, the parties respectfully request that this Court extend the discovery
2 period by ninety days (90) days from the current deadline of February 28, 2018 up to and
3 including May 29, 2018 and the other discovery dates as outlined in accordance with the
4 table above.

5 DATED this 8th day of December 2017. DATED this 8th day of December, 2017.

6 LEWIS BRISBOIS BISGAARD & SMITH RICHARD HARRIS LAW FIRM

7
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15
16 **ORDER**

17 IT IS SO ORDERED.

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19 Dated this 11 day of December, 2017.

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UNITED STATES MAGISTRATE JUDGE